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DOC #:

DATE FILED: 4-30-08

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DANIEL PRAINO,

Plaintiff,

- against -

PRUDENTIAL EQUITY GROUP, LLC and
PRUDENTIAL FINANCIAL, INC.,

Defendants.
-----X

:
: 07 Civ. 11631 (VM)

: CONDITIONAL

: ORDER OF DISCONTINUANCE

VICTOR MARRERO, United States District Judge.

Counsel for defendants, on behalf of the parties, having notified the Court, by letter dated April 30, 2008, a copy of which is attached, that the parties have reached an agreement in principle to settle this action without further litigation, it is hereby

ORDERED, that this action be conditionally discontinued without prejudice and without costs; provided, however, that within thirty (30) days of the date of this Order, the parties may submit to the Court their own Stipulation of Dismissal for the Court to So Order. Otherwise, within such time counsel for plaintiff may apply by letter for restoration of the action to the active calendar of this Court in the event by the deadline indicated the settlement is not consummated. Upon such notification, the defendant shall continue to be subject to the Court's jurisdiction, the Court shall promptly reinstate the action to its active docket and the parties shall be directed to appear before the Court, without the necessity

of additional process, on a date within thirty days of the plaintiff's application for reinstatement, to schedule remaining pre-trial proceedings and/or dispositive motions, as appropriate. This Order shall be deemed a final discontinuance of the action with prejudice in the event plaintiff has not requested restoration of the case to the active calendar within such period of time.

Any further conferences with the Court schedule in this action are canceled but shall be rescheduled as set forth above in the event plaintiff notifies the Court that the parties' settlement was not effectuated and that such conference is necessary to resume pretrial proceedings herein.

The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: NEW YORK, NEW YORK
30 April 2008

A handwritten signature in black ink, appearing to read 'V. Marrero', is written over a horizontal line.

VICTOR MARRERO
U.S.D.J.

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April 30, 2008

BY FACSIMILE (212) 805-6382

Honorable Victor Marrero
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Suite 660
New York, New York 10007-1312

Re: *Daniel Praino v. Prudential Equity Group, LLC and Prudential Financial, Inc.*
Case No. 07-CV-11631

Dear Judge Marrero:

We represent Defendants Prudential Equity Group, LLC and Prudential Financial, Inc. in the above-referenced matter. With Plaintiff's counsel's consent, we write to inform the Court that the parties have reached a settlement in principle in this matter and are now in the process of memorializing the terms of the settlement. Accordingly, the parties jointly request that all deadlines in this matter be adjourned and the parties be given thirty (30) days to submit the settlement for approval.

Thank you for your consideration.

Respectfully submitted,



Andrew J. Schaffran

cc: Cindy D. Salvo
The Salvo Law Firm (via facsimile)